

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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| In Re: | Case No.: | 19-27439/MBK |
| Hollister Construction Services, LLC | Chapter: | 11 |
| | Judge: | Michael B. Kaplan |

NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

Hollister Construction Services, LLC, Plaintiff/ Debtor, in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

Address of the Clerk: Clarkson S. Fisher US Courthouse, 402 East State Street, Trenton, NJ 08608

If an objection is filed, a hearing will be held before the Honorable Michael B. Kaplan on December 3, 2020 at 10:00 a.m. at the United States Bankruptcy Court, courtroom no. 8, 402 East State Street, Trenton, NJ 08608 (hearing to be scheduled for at least 28 days from the date of the filing of the notice). If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

Nature of action: A preference action was filed against KMC Mechanical, Inc. ("Defendant") seeking recovery of monies due the Estate totaling the sum of \$9,300.00.

Pertinent terms of settlement: KMC Mechanical, Inc. shall remit payment to the Plaintiff/ Debtor in the sum of \$4,000.00 in a check made payable to "SM Law PC Attorney Trust Account". In addition, Defendant waives any right to file a proof of claim for the Settlement Payment under Section 502(h) of the Bankruptcy Code or any other provision of the Bankruptcy Code and/or the Bankruptcy Rules. Defendant further agrees that, to the extent Defendant filed or files a proof of claim in the Debtor's Chapter 11 Case, any such claim shall be deemed disallowed and expunged and there shall be no distribution on account of any such claim. The Plaintiff/ Debtor feels that this settlement is in the best interest of the Estate in light of the defenses raised and reviewed and the cost of the litigation of the within action.

Objections must be served on, and requests for additional information directed to:

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| Name: | <u>Steven Mitnick, Esq., SM Law PC</u> |
| Address: | <u>P.O. Box 530, Oldwick, New Jersey 08858</u> |
| Telephone No.: | <u>908-572-7275</u> |